

**PROCEEDINGS OF THE VILLAGE OF FRANKLIN
REGULAR VILLAGE COUNCIL MEETING
MONDAY, APRIL 10, 2006, 8:00 P.M.
32325 FRANKLIN ROAD, FRANKLIN, MICHIGAN**

I. CALL TO ORDER

The meeting was called to order by President Jahnke at 8:00 p.m. at the Franklin Village Hall, Franklin, Michigan.

II. ROLL CALL

Present: Brian Coyer, Fred Gallasch, Alan Harnisch, Bill Lamott, Dominick Schiano, Mark W. Jahnke

Absent: Randy McElroy (excused)

Also Present: Jon Stoppels, Administrator
Eileen Pulker, Clerk
Patrick Browne, Police Chief
Bill Castro, Detective Sergeant
Tony Averbuch, Fire Chief
John Staran, Hafeli Staran Hallahan Christ & Dudek, PC, Village Attorney
Jim Stevens, Planning Commission Chairman
Joe Knollenberg, Representative Congressional District 9

Motion by Schiano supported by Coyer to excuse McElroy in his absence from this meeting.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

III. ADOPTION OF AGENDA

Jahnke noted that the Historic Commission report (item #VIII C) should be moved to the May Regular Meeting agenda, and Lamott asked that a Council Report on Naturescaping be added in its stead.

Motion by Gallasch supported by Schiano to approve the agenda, deleting Item VIII C, Historic Commission report, to be presented at the May 8, 2006 Regular Village Council Meeting, and to add as item VIII C a Council Report on Naturescaping.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

IV. MINUTES:

A. Regular Meeting of March 13, 2006

Motion by Lamott supported by Gallasch to approve the minutes of the Regular Meeting of March 13, 2006 as presented.

It was noted that the Police Chief's start date was later determined to be April 10, 2006, not April 3, 2006 as was listed in the minutes.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

V. REPORTS OF VILLAGE OFFICERS AND AGENTS

Police Chief Browne greeted the Council and thanked them for allowing him the opportunity to serve as Police Chief. Browne referred Council to the written report prepared by Interim Chief Castro and added that it had been quiet in the Village, noting incidences that had occurred in Bingham Farms offices (stolen laptops) at two separate locations. Castro was asked to comment on the bear that was thought to have been seen in the Village, to which Castro responded that it had been investigated and reported to both the Southfield Twp Animal Control and the Michigan Department of Natural Resources.

Fire Chief Averbuch referred the Council to his written report and stated that he had nothing new to report. Averbuch also voiced his concern over yard burning practices noting that burn permits were required and the Ordinances need to be followed to maintain safety measures, and went on to site several of his safety concerns including that the fire must be completely extinguished before abandoning the project. Averbuch reported that a few of the calls over the last month were to put out fires that had been left unattended and continued to burn after dark. Averbuch stated that the annual Fire Extinguisher Day will be on June 6, 2006 from 9:00 am to 12:00 noon at the Fire Station during which fire extinguishers can be inspected, repaired and purchased.

Treasurer Morrow was not present at the meeting, but his written report had been submitted to the Council and Jahnke noted that Morrow had indicated his approval of the bills list for the month, that the Village had sufficient funds to meet its obligations, and that Morrow was also satisfied with the information provided to substantiate the check (previously approved) for the Oakland County Drain Commission to provide reimbursement for the installation of various grinder pumps in the Village.

VI. SUBMISSION OF CURRENT BILLS

Motion by Coyer supported by Gallasch to approve the bills list as presented.

General Administration	\$	11,577.27
Building	\$	18,958.41
Insurance	\$	26,199.51
Legal	\$	3,583.00
Police	\$	10,595.88
Pressure Sewer	\$	400.00
General Debt Service	\$	450.00
Major Roads	\$	4,417.74
Local Road	\$	5,069.34
Rubbish	\$	13,671.90
Trust & Agency	\$	18,100.00
Waste Water	\$	726.34
Total	\$	113,849.39

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke
Nays: None
Absent: McElroy
Motion carried.

VII. PUBLIC REQUESTS AND COMMENTS

Joe Knollenberg, Congressional Representative for District 9, appeared before the Council, introduced his aids that had accompanied him, and advised the Council on many issues before Congress and currently being addressed, as follows:

- 1) Border Security, noting that 40% of the traffic between Canada and the United States crosses at the Detroit border. Knollenberg added that what Congress wants is legal immigration and that reinforcement of the borders is necessary, and measures have been taken to improve security and the debate continues on an agreement.
- 2) Michigan Economy, discussed tariff reforms enacted, stating that General Motors has 2 ½ times more retirees than employees and that retiree health care is crippling many companies in Michigan, and does not hold true in other states, and much work is being done to address employee benefit plans.
- 3) Counterfeiting is a growing problem, and one bill was recently passed dealing with some aspects, but the counterfeiting involves clothing, drugs and other goods for approximately \$12 Billion in counterfeit automobile goods which costs Michigan 200,000 jobs, adding that prescription drugs created counterfeitedly are dangerous to consumers due to their lack of quality and inaccurate production causing increases in illness for those in need of the medications.

Dave Taylor, Beverly Hills Council President, running for County Commissioner, reported on a fundraiser for the Recovery Court Program to be held on May 11, 2006, which helps people overcome drug addiction problems; tickets are available by calling 248.722.0665.

George Haddad, Cheviot Hills, Franklin, thanked our new Police Chief for his attendance at the recent Mobile Watch meeting and expressed his continued concern over sewer rates in the Village and stated that while he appreciated the informational report he had received from Stoppels, he continued to hope that a meeting was to be scheduled to discuss his further concerns. Stoppels informed Haddad that a meeting had already begun to be set up for those interested residents, himself, President Jahnke, Clerk Pulker, Oakland County Drain Commission personnel, and Oakland County Commissioner Marcia Gershenson. Stoppels added that the meeting would take place in the next few weeks.

VIII. SPECIAL REPORTS

A. President's Report, Mark Jahnke, Village President

1. Welcome Patrick Browne, New Police Chief

Jahnke welcomed Chief Browne to the Village stating that he and many members of Council, and many of the police officers, had recently attended the luncheon held in his honor for his retirement from Farmington Hills at which we had all heard many great comments about him and the many years of service in Farmington Hills. Jahnke stated that Browne, Stoppels, Castro, and he had attended a meeting at Bingham Farms to go over the upcoming year budget needs in regards to the Special Assessment District and Police Protection for the Bingham Farm Villagers. Chief Browne stated that he was looking forward to working in the Village with the fine group of police officers (many of

whom he was already familiar with), working with the elected officials, and meeting Villagers.

2. Proclamation – William Castro, Interim Police Chief

#2006-20 Motion by Schiano supported by Coyer to approve the following Proclamation:

**PROCLAMATION
William Castro, Interim Police Chief**

WHEREAS Edward Glomb retired on September 1, 2005 after twenty three (23) years of service as Police Chief for the Village of Franklin; and

WHEREAS Detective Sergeant, William Castro was asked to serve as Interim Chief; and

WHEREAS Detective Sergeant Castro also has a long and distinguished career with the Village of Franklin Police Department in a supervisory capacity; and

WHEREAS Detective Sergeant Castro used his professional attributes in leadership, organizational skills, interpersonal relationships and public relations in executing his duties as Interim Chief; and

WHEREAS Detective Sergeant Castro's leadership as Interim Chief led to positive department morale and outstanding community support; and

WHEREAS The Villages of Franklin and Bingham Farms have benefited greatly by Detective Sergeant Castro's service both as Interim Chief and as a Detective Sergeant.

NOW THEREFORE BE IT RESOLVED that the Franklin Village Council does hereby publicly recognize, commend, and thank Detective Sergeant Castro for his outstanding service as Interim Chief of the Franklin Police Department.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

B. Administrator Report, Jon Stoppels, Administrator

1. Sewer Report

Stoppels reported that as previously mentioned, he had completed his report and provided a copy to Mr. Haddad and had subsequently begun to set up a meeting, to which Gallasch added that he would also like to be included should his schedule permit.

2. Arbitration Bill

Stoppels stated that he had contacted several other communities and knew from his own past experience that while these charges can occur, they would most likely not be charged with the dismissal of the arbitration case. **It was decided that the Arbitration Bill not be*
** corrected at the May 8, 2006 Regular Village Council meeting.*

paid and Stoppels was directed to send a letter to the attorney explaining the Village's position on this matter.

3. Finance Clerk

Stoppels stated that after having used Larry Hill as an account temp for the past six months, he had come to the conclusion that he would like to hire Mr. Hill, changing the title from Finance Clerk to Finance Analyst. Stoppels cited a recent work study done of the various positions held in the Village office which demonstrates the responsibilities of each position in the staff, and in compliance with auditors requirements there is a division of duties. Mr. Hill was present and thanked the Council for the opportunity to serve in this capacity for the Village

#2006-21 Motion by Lamott supported by Gallasch that the Village of Franklin hire Larry C. Hill as the Finance Analyst, effective April 11, 2006, as recommended by Village Administrator, Jon Stoppels, for an annual salary of \$39,250.00.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

C. Council Report

1. Naturescaping at Franklin Historical Society Museum

Lamott reported that work had begun at the Village owned and the adjacent Historic Commission Property known as the Derwich Property (approximately 2 acres total), including workshops for general yard cleanup and planning and invasive plants removal demonstrations. Lamott outlined future projects as follows: May 1, 2006 at 10:30 a.m. for preliminary landscape design workshop; May 9, 2006 at 10:30 a.m. a similar program to plan; and May 20, 2006 at 10:00 a.m. to 12:00 Noon for a wild flower walk through. Lamott added that additional donations were still needed and volunteers were welcome and he appreciated all of the support received thus far.

D. Finance Committee Report

2. ACI Finance Recommendations – Sewer Fund

Stoppels reported on the recommendations of Tom Traciak at ACI Finance in which Traciak recommends that the Council use their surplus (as derived from the payoffs of sewer capital charges in the Village) to “smooth” the millage rate over the next ten years. Stoppels was directed to propose setting the debt service millage rate for the sewer fund to reflect that approximately yearly amount as suggested in the ACI Finance report and to also provide millage requirement for using up more of the fund balance for the next several years. Stoppels was also asked to provide from Traciak an updated view of the arbitrage rates for use in evaluating payoffs of the remaining bonds for sewer system construction in the Village.

2. Quarterly Budget Review

Stoppels noted that while the review was labeled 2nd Quarter Review, the numbers (as the columns are labeled) are updated to include those figures through 3/28/06. Stoppels pointed out several areas for which adjustments were necessary including the increased costs needed by the Planning Commission for their revision of the Village's Master Plan.

3. Auditor RFP

Gallasch reported that the Finance Committee looked at the activities and report for last year's audit, and suggested that the Council should discuss that a Request for Proposal be submitted to several of the area firms, including Plante Moran.

#2006-22 Motion by Gallasch supported by Schiano to authorize the Administrator to seek out Requests for Proposals from appropriate area auditing firms, including Plante Moran to obtain proposals to perform the Audit of the current Fiscal Year ending on June 30, 2006.

Jahnke commented that the Council had just gone through that process one year ago, having received five (5) proposals, of which three (3) were considered by Council and Plante Moran was subsequently chosen. Jahnke continued stating that having just gone through the process one year ago, knowing that that process takes a lot of time with staff and administrator, given the special circumstances of last year (changing audit firms one month or more after a long time Village finance clerk was no longer employed by the Village), that this would be an opportunity to have a meeting with Plante Moran, as suggested by Treasurer Morrow, and lay out what our expectations are for the current fiscal year budget (ending June 30, 2006) and reach an understanding of how that process is going to work. Jahnke opined that to bid out for the second year in a row does not make a lot of sense.

Coyer noted that the motion does not preclude that possibility as he understands the motion. Coyer continued noting that those kinds of discussions can and should take place. Coyer added that what the motion does is permit the administrator to go forward and if Plante Moran wishes to respond to this they may and can then be among the firms to be considered and he sees no reason not to proceed with this.

Jahnke stated that being in that business, being in the situation of having entered into a five year agreement or arrangement with the auditing firm to now go and say we are doing that process again; that is kind of an unusual situation and will send a message to all of the firms that will be looking at the work, and that that concerns him.

Harnisch stated that although he was reluctant to make a change, and this type of a professional relationship change should be generally kept to a minimum but here there have been some problems, some concerns that he had had, and he thought that all of those on Council had had about some matters that had occurred with Plante Moran and this account/client relationship is very important. We need to have a mutual sense of trust, the Village certainly needs to have a sense of trust that they are looking out for our best interest, and as well as being very professional in their method of doing business, and things have developed to the point that he thinks that it is appropriate to do this review, consider our options, and go forward. This is not to say that we won't continue to use Plante Moran, but we need to be satisfied that they are working for the best interest of the Village and Harnisch opined that this is an appropriate way to do it.

Jahnke stated that his final comment to Jon Stoppels, Clerk Pulker and Mr. Hill noting that whatever is done, he thinks the challenge is incumbent upon the staff and the Finance Committee to make this June 30, 2006 audit experience a lot better than the last year, noting that the previous year the audit had not been received until January or February. So whatever happens, there are a lot of improvements to be made and a lot of lessons to be learned and that is where we want to end up, and that he does not support the motion of tonight.

Roll Call Vote:

Coyer	yes
Gallasch	yes
Harnisch	yes
Lamott	yes
Jahnke	no

Schiano **yes**
McElroy – **absent**
Motion carried

IX. UNFINISHED BUSINESS

A. Consider Police Chief Employment Agreement.

2006-23 Motion by Schiano supported by Gallasch to approve the Police Chief Employment Agreement as presented, with the agreed inception date to be April 10, 2006.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: None

Absent: McElroy

Motion carried.

B. Consider Amending Fiscal Year 2005-2006 Adopted Budget

#2006-24 The following resolution was offered by Harnisch and seconded by Schiano:

BUDGET AMENDMENTS

FY 2005-2006

April 10, 2006

(2ND Quarter Review)

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2005/2006 General Fund indicates several accounts where budget amendments are required. We resolve that the following budget amendments be made to the 2005/2006 General Fund budget with funds coming from the appropriation of other funds.

Accounts (revenue):

000800 – transfer from other funds: Increase revenue account to a new total of \$13,500 (original \$0).

Accounts (expense):

101705 – Surveys: Increase expense account to a new total of \$4,000 (original \$0).

101819 – Planning Commission, Master Plan: Increase expense account to a new total of \$22,000 (original \$10,000).

101826 – Wireless Services: Decrease expense account to a new total of \$0 (original \$2,500).

102704 – Administrative salaries: Increase expense account to a new total of \$167,000 (original \$158,000).

102705 – Administrative Group insurance: Decrease expense account to a new total of \$32,180 (original \$37,180).

102706 – Administrative Life & Disability Insurance: Decrease expense to a new total of \$3,000 (original \$5,000).

102709 – Administrative Payroll taxes: Decrease expense account to a new total of \$10,720 (original \$12,750).

102863 – Administrative vehicle supplies: Increase expense account to a new total of \$9,000 (original \$2,500).

102981 – Office Furniture and Equipment: Decrease expense account to a new total of \$1,500 (original \$2,500).

215710 – Clerk Contractual Services: Decrease expense account to a new total of \$9,000 (original \$12,500).

- 215728 – Clerk Computer software and supplies: Decrease expense account to a new total of \$3,000 (Original \$4,000).
- 211826 – Legal and Related Services: Increase expense account to a new total of \$29,000 (original \$25,000).
- 305700 – Police Salaries: Decrease expense account to a new total of \$574,925 (original \$620,605).
- 305702 – Police Longevity: Decrease expense account to a new total of \$28,500 (original \$31,000).
- 305705 – Police Health Insurance: Decrease expense account to a new total of \$136,500 (original \$142,500).
- 305708 – Police retirement contribution: Increase expense account to a new total of \$108,500 (original \$80,000).
- 305720 – Police Contractual Services: Increase expense account to a new total of \$17,900 (original \$0).
- 305730 – Police Dues and subscriptions: Decrease expense account to a new total of \$500 (original \$2,500).
- 305742 – Police pistol range expense: Decrease expense account to a new total of \$1,000 (original \$2,000).
- 305802 – Police accounting services: Increase expense account to a new total of \$7,500 (original \$3,000).
- 305803 – Police annual audit: Increase expense account to a new total of \$12,600 (original \$5,000).
- 305854 – Police drug forfeiture expense: Increase expense account to a new total of \$15,500 (original \$2,000).
- 305860 – Police Liability Insurance: Decrease expense account to a new total of \$7,280 (original \$7,680).
- 305863 – Police automobile operation: Increase expense account to a new total of \$32,000 (original \$25,000).
- 305865 – Police car insurance: Decrease expense account to a new total of \$17,500 (original \$22,000).
- 305981 – Police Auto and related equipment: Decrease expense account to a new total of \$21,300 (original \$24,300).
- 854961 – Transfer to Building Fund: Increase expense account to a new total of \$1,747 (original \$0).
- 865910 – Liability Ins and Bonds: Increase expense account to a new total of \$46,500 (original \$30,000).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2005/2006 Building Department Fund indicates an account where a budget amendment is required. We resolve that the following budget amendment be made to the 2005/2006 Building Department Fund budget with funds coming from the appropriation of other funds.

Accounts (revenue):

- 000583 – Transfer from General Fund: Increase revenue account to a new total of \$1,747 (original \$0).

WHEREAS: The Village must assure that expenditures in each account do not exceed those budgeted. A review of the Village's 2005/2006 Pressure Sewer Fund indicates an account where a budget amendment is required. We resolve that the following budget amendment be made to the 2005/2006 Pressure Sewer Fund budget with funds coming from the appropriation of other funds.

Accounts (revenue):

000409 – Grinder Pump Installations, Contract K: Increase revenue account to a new total of \$300,000 (original \$225,000).

000999 – Appropriation of prior year funds: Decrease revenue account to a new total of \$433,000 (original \$1,471,523).

Accounts (expense):

875826 – General Sewer Construction Exp: Increase expense account to a new total of \$230,000 (original \$225,000).

905991 – Pressure Sewer Principal Payment: Decrease expense account to a new total of \$390,000 (original \$1,382,376).

905992 – Pressure Sewer Interest Payment: Increase expense account to a new total of \$175,000 (original \$137,647).

Discussion ensued regarding the need for the budget amendments, many of which were due to the retirement of Chief Glomb and the subsequent search for a new Police Chief, increased liability insurance premiums, and Master Plan Revision costs (which will be a one-time cost) but that the end result still resulted in an increase to the Village's Fund Balance for General Fund.

Stoppels reviewed the information provided to the Council, and explained that budget considerations had been reviewed by himself, Clerk Pulker and Interim Chief Castro and reviewed by the Finance Committee. Questions were asked regarding the drug forfeiture expenditure (to purchase the police department motorcycle), and the Master Plan expenditures to which Jim Stevens (Planning Commission Chairman) responded citing the reasons for the increase in costs for the Master Plan working being performed by Christopher Doozan of McKenna Associates, Inc. Stevens further stated that he had been in discussions with Stoppels in regards to the budget for the upcoming year, and noted that discussions had been held with McKenna Associates to ascertain the cost for the entire project.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: none

Absent: McElroy

Motion carried.

X. NEW BUSINESS

A. Consider Adoption of General Retention and Disposal Schedule #8.

Staran stated that the Michigan Municipal League had created this Retention and Disposal Schedule, which will meet almost all of the needs of the Village, and had obtained the necessary approvals from the State of Michigan. Staran had reviewed the document and advised Council that he had found it to be adequate and that any unique situations that would require any additional guidelines, the Village would seek approval from the State but he considered that necessity unlikely.

#2006-25 Motion by Harnisch supported by Lamott to adopt the General Retention and Disposal Schedule #8 as developed by the Michigan Municipal League, as follows:

WHEREAS, the Village of Franklin Council desires to adopt a records management policy to establish a retention and disposal schedule of how when village public records may be disposed of; and

WHEREAS, Sections 399.5 and 750.491 of the Michigan Compiled Laws provide that public records may only be disposed of in accordance with the provisions of a State approved retention and disposal schedule; and

WHEREAS, The Michigan Historical Centers Record Management Services has approved the retention and disposal schedule entitled Records Management Handbook prepared by the Michigan Municipal League.

WHEREAS, the Michigan State Administrative Board has approved the General Record Retention and Disposal Schedule #8, which is set forth in the Records Management Handbook prepared by the Michigan Municipal League.

THEREFORE, the Franklin Village Council resolves to adopt the General Record Retention and Disposal Schedule #8 as set for the in the Records Management Handbook prepared by the Michigan Municipal League identifying how long Village public records must be kept, when they must be destroyed, and when certain records may be sent to the State Archives of Michigan for permanent preservation.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: none

Absent: McElroy

Motion carried.

B. Consider Liquor License Renewal for the Franklin Grill

#2006-26 Motion by Gallasch supported by Schiano to approve the Renewal of the Liquor License for the Franklin Grill with the condition requiring the license renewal applicant to enter into a formal recordable agreement with the Village that would provide that the applicant agrees to complete all outstanding site plan details, by a prescribed date to be determined by staff, which then would be recorded which would provide any constructive notice to any successors in interest of this requirement to comply with the site plan conditions.

Parking and signage was discussed and Stoppels noted that he and Grundy would meet to devise a plan for parking signage that will agree with the wishes of both the Historic District Commission and the Planning Commission. Coyer stated that the Liquor Committee had met, and that this agreement is as the liquor committee had recommended.

Ms. Grundy thanked the Council for their work and help in obtaining this renewal.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: none

Absent: McElroy

Motion carried.

C. Consider Application to Demolish Structures at 26333 Willowgreen (formerly 31625 Franklin Road).

#2006-27 Motion by Coyer supported by Schiano to approve the application for demolition for the property located at 26333 Willowgreen with the usual bonds and stipulations of the Building Official.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: none

Absent: McElroy

Motion carried.

D. Consider Application for Civic Events Permit for Music on the Green, July 5, 12, 19, 26 2006.

#2006-28 Motion by Gallasch supported by Harnisch to approve the Application for Civic Event Permit for Music on the Green to be held on Wednesday evenings in July; on the 5th, 12th, 19th, and 26th of July 2006.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: none

Absent: McElroy

Motion carried.

XI. ADJOURNMENT

Motion by Gallasch supported by Lamott to adjourn the meeting.

Ayes: Coyer, Gallasch, Harnisch, Lamott, Schiano, Jahnke

Nays: none

Absent: McElroy

Motion carried.

There being no further business, the meeting adjourned at 9:56 p.m.

Respectfully submitted,

Eileen H. Pulker, Clerk

Mark W. Jahnke, President